

**WHAT IS CLAIMED:**

1        1. An implant adapted to be placed between spinous  
2 processes comprising:

3                a spacer that is adapted to fit between spinous processes;  
4                and

5                a means for adjusting the height of the spacer in order to  
6                adjust the spacing between the spinous processes.

1        2. The implant of claim 1 wherein the spacer has an elliptical  
2 shape in at least one dimension wherein a height of the spacer in that  
3 dimension is less than a length of the spacer in another dimension.

1        3. The implant of claim 1 wherein the spacer has a first  
2 portion and a second portion which are movable relative to each other.

1        4. The implant of claim 1 wherein the adjusting means  
2 includes a first portion and a second portion of the spacer connected by  
3 a hinge.

1        5. The implant of claim 1 wherein the adjusting means  
2 includes the spacer of the implant further comprises a slotted sphere.

1        6. The implant of claim 5 wherein the slotted sphere engages  
2 the first and second portion of the spacer to maintain the profile height.

1        7. The implant of claim 5 wherein the slotted sphere engages  
2 a screw extending from between first and second portion of the spacer  
3 to maintain the profile height.

1        8. The implant of claim 3 wherein the first portion and the  
2 second portion each have a curved surface on a first side and a height  
3 adjuster contacting surface on a second side opposite the first side.

1           9.    The implant of claim 1 wherein the adjusting means of the  
2 implant further comprises a jack.

1           10.   The implant of claim 9 where the said jack is adjustable to  
2 a greater profile and a lesser profile by turning a screw in one of a first  
3 direction and a second direction.

1           11.   An implant adapted to be placed between spinous  
2 processes comprising:

3                 a body having a shaft extending therefrom;  
4                 a spacer pivotally mounted on the body, the spacer  
5 including a first portion and a second portion; and  
6                 a mechanism positioned between the first portion and the  
7 second portion that can adjust a space between the first and  
8 second portion.

1           12.   The implant of claim 11 wherein the spacer has an elliptical  
2 shape.

1           13.   The implant of claim 11 wherein the first portion and the  
2 second portion of the spacer are connected proximal to an end thereof  
3 by a hinge.

1           14.   The implant of claim 11 wherein the mechanism of the  
2 implant further comprises a slotted sphere.

1           15.   The implant of claim 14 wherein the slotted sphere  
2 engages the first and second portion of the spacer to maintain the profile  
3 height.

1           16.   The implant of claim 14 wherein the slotted sphere  
2 engages a screw extending from the hinge between the first and second  
3 portion of the spacer to maintain the profile height.

1           17. The implant of claim 11 wherein the first portion and the  
2 second portion each have a curved surface on a first side and a height  
3 adjuster surface on a second side opposite the first side.

1           18. The implant of claim 11 wherein the mechanism of the  
2 implant further comprises a jack.

1           19. The implant of claim 18 wherein the jack engages the first  
2 and second portion of the spacer to maintain the profile height.

1           20. The implant of claim 18 wherein the jack is adjustable to a  
2 greater profile and a lesser profile by turning a screw in one of a first  
3 direction and a second direction.

1           21. An implant adapted to be placed between spinous  
2 processes comprising:

3           a body having a shaft extending therefrom;  
4           a first wing extending from the shaft and adapted to be  
5 placed adjacent a first and a second spinous process;  
6           a tissue expander extending from the distal end of the  
7 shaft;  
8           a spacer that is rotatably mounted to the shaft, the spacer  
9 having a first portion and a second portion; and  
10          a mechanism that is mounted to the spacer and that can  
11 adjust the spacing between the first and second portions of the  
12 spacer.

1           22. The implant of claim 21 wherein the spacer is elliptical in  
2 shape with the first portion and the second portion divided about a major  
3 axis of the elliptical shaped spacer.

1           23. The implant of claim 21 wherein the first portion and the  
2 second portion of the spacer are connected by a hinge.

1           24. The implant of claim 21 wherein the mechanism of the  
2 implant further comprises a slotted sphere.

1           25. The implant of claim 24 wherein the slotted sphere  
2 engages the first and second portion of the spacer to maintain the profile  
3 height.

1           26. The implant of claim 24 wherein the slotted sphere  
2 engages a screw extending from between the first and second portion of  
3 the spacer to maintain the profile height.

1           27. The implant of claim 21 wherein the mechanism of the  
2 implant further comprises a jack.

1           28. The implant of claim 27 wherein the jack engages the first  
2 and second portion of the spacer to maintain the profile height.

1           29. The implant of claim 27 where the said jack is adjustable to  
2 a greater profile and a lesser profile by turning a screw in one of a first  
3 direction and a second direction.

1           30. An implant adapted to be placed between spinous  
2 processes comprising:

3                 a body having a shaft extending therefrom; and  
4                 a spacer that is rotatably mounted on the shaft,  
5                 wherein the spacer has an adjustable profile.

1           31. The implant of claim 30 wherein the spacer has an elliptical  
2 shape.

1           32. The implant of claim 30 wherein the spacer has a first  
2 portion and a second portion.

1           33. The implant of claim 32 wherein the first portion and the  
2 second portion of the spacer are connected by a hinge.

1           34. The implant of claim 30 wherein the spacer of the implant  
2 further comprises a slotted sphere.

1           35. The implant of claim 34 wherein the slotted sphere  
2 engages the first and second portion of the spacer to maintain the profile  
3 height.

1           36. The implant of claim 34 wherein the slotted sphere  
2 engages a screw to maintain the profile height.

1           37. The implant of claim 32 wherein the first portion and the  
2 second portion each have a curved surface on a first side and a height  
3 adjuster contacting surface on a second side opposite the first side.

1           38. The implant of claim 30 wherein the spacer of the implant  
2 further includes a jack.

1           39. An implant adapted to be placed between spinous  
2 processes comprising:

3           a body having a shaft extending therefrom; and

4           a spacer that is rotatably mounted on the shaft;

5           wherein the spacer has a hinged body having a first portion  
6 and a second portion; and

7           a device to adjust a space between the first portion and the  
8 second portion.

1           40. The implant of claim 39 wherein the device of the implant  
2 further comprises a slotted sphere.

1           41. The implant of claim 40 wherein the slotted sphere  
2 engages the first and second portion of the spacer to maintain the profile  
3 height.

1           42. The implant of claim 39 wherein the device of the implant  
2 further comprises a jack.

1           43. A method of implanting a device between an upper and  
2 lower spinous process in a spine, the method comprising:

- 3           a. exposing an affected region of the spine posteriorly;
- 4           b. inserting an implant between the spinous  
5 processes;
- 6           c. adjusting the profile of the implant; and
- 7           d. closing the wound.

1           44. A method of adjusting an interspinous implant, the method  
2 comprising:

- 3           a. accessing the implant with a cannula; and
- 4           b. adjusting a profile of the implant with a tool  
5 accessed through the cannula.

1           45. A method of adjusting an implanted interspinous implant  
2 having a body having a shaft extending therefrom, a spacer pivotally  
3 mounted on the body, and a screw for adjusting the space between a  
4 first portion and a second portion of the spacer, the method comprising:

- 5           a. accessing the screw of the implanted interspinous  
6 implant through an incision with a cannula; and
- 7           b. adjusting a profile of the implant with a tool  
8 accessed through the cannula by turning the screw of the implant  
9 in one of a first direction or a second direction.